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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,860	11/19/2003	Dennis L. Zoeckler	GP-303930 (2760/125)	6802
7590 05/02/2007 General Motors Corporation Legal Staff, Mail Code 482-C23-B21 300 Renaissance Center P.O. Box 300 Detroit, MI 48265-3000			EXAMINER GESESSE, TILAHUN	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 05/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/716,860

Applicant(s)

ZOECKLER, DENNIS L.

Examiner

Tilahun B. Gesessse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 18-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Status of claim**

1. This in response to applicant's amendment and response filed February 8, 2007 , in which claims 9-17 has been deleted and claims 1-8, 18-28 are pending.

### ***Response to Amendment***

2. The amendment presented by applicant does not include the subject matter that was indicated as allowable. To show the discrepancy , claims indicated allowable recites "providing a subscription service expiration date to a display device and providing a subscription service expiration date to a voice synthesis device."

Although, the claims 9-10 has been delete, the subject matter that is incorporated to independent claims is different than indicated allowable, the subject matter recites "providing the\_subscription service expiration notice to an interface\_device selected from the group consisting of a display device and a\_voice synthesis device." The amendment dose not hold the indicated allowable subject matter , therefore, the rejection in view of the newly recited reference made final.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8,18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wajs , Andrew EP 1094667A1) in view of Frantz (US 6,904,264) and further in view of Linden et al (US 2003/0009765).

Claim 1, Wajs teaches a method for providing subscription service expiration notification a radio device (see abstract , column 2, paragraphs 0005-column 3, paragraph 0015 and fig.1) in which the entitlement management message (EMM) is subscription agreement with service provider, comprising:

Wajs teaches receiving a digital radio subscription service expiration notice at a radio receiver storing a received expiration notice at the radio receiver, (see col.3, line 4-57 and fig.1).

Wajs teaches storing the received expiration notice at the digital radio receiver (see col. 3,lines 10-21 and col. 4, lines 14-32).

Wajs teaches providing the stored expiration notice to a user (see col. 3,lines 10-21 and col. 4, lines 14-32) in which if the specific entitlement is not received before the expiry date , the terminal equipment is disconnected.

Wajs does not expressly teach a mobile digital radio. However, Frantz teaches a mobile radio that shows automatic expiration of wireless communication service subscription (see col. 3, line 12-col.4, line 3 and fig.1). Both Wajs and Frantz teach subscription radio broadcast technique, then, it would have been obvious to an ordinary skill in the art at the time of the invention to terminate service subscription of mobile digital radio , in Wajs system , as evidenced by Frantz, since digital radio is better improve quality and less noise as compared with AM and FM radio.

Wajs and Frantz do not teach interface consisting of display device and voice synthesizer device. However, Linden, similar art of endeavor, satellite broadcast digital channel tuning device, teaches selecting programs using interface consisting of visual display and voice synthesizer (see paragraph 0082, lines 6-9 and paragraph 0085 and figure 7, in particular items #716 and 718).

One of ordinary skill in the art would be motivated to improve interfacing broadcast programs tuning device, which subscribes for program content, consisting of visual display and voice synthesizer .

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to alert a user of digital broadcast receiver that depleting subscription fund, using visual display and voice synthesizer, as evidenced, by Linden , using simple and efficient means of notifying the user.

Claim 2, Wajs teaches activating the digital radio receiver responsive to receiving the expiration notice (see col. 2 line 53-col.3, lines 26).

Claim 3, Wajs teaches deactivating the digital radio receiver based on the expiration notice see col. 3,lines 10-21).

Claim 4, Wajs teaches determining a radio subscription notice comprises receiving subscription service enrollment data associating the enrollment data with a unique radio identification code (col.4, lines 14-33).

Wajs teaches defining a radio subscription service expiration date based on the enrollment data and the unique radio identification code (see col.3, lines 4-56).

Claim 5, Wajs teaches the enrollment data is selected from the group comprising of: customer billing data and subscription service data see col.3, lines 4-56).

Claim 6, Wajs teaches providing the subscription notice to a satellite broadcasting system, transmitting the subscription notice to the radio receiver via the satellite broadcasting system, and receiving the subscription notice at the radio receiver (see col.2, lines 23-57 and fig.1).

Claim 7, Wajs teaches the subscription notice is provided to the broadcast system responsive to a determination that a subscription service associated with a unique digital radio receiver has been renewed (see col. 1, lines 48-col.2, line 23).

Claim 8, Wajs teaches determining if updated expiration notice data has been received and storing the updated expiration notice data responsive to a determination that the expiration notice data is updated (see col.3, lines 38-57).

Claim 18. Wajs teaches a system for providing subscription service expiration notification a radio device (see abstract and fig.1) comprising

Wajs teaches means for receiving a subscription service expiration notice at radio receiver and means for the stored expiration notice at the radio receiver, (see col.3, line 4-57 and fig.1).

Wajs teaches means for providing the stored expiration notice to a user (see col. 3, lines 10-21 and col. 4, lines 14-32) in which if the specific entitlement is not received before the expiry date , the terminal equipment is disconnected.

Wajs does not expressly teach a mobile digital radio. However, Frantz teaches a mobile radio that shows automatic expiration of wireless communication service

subscription (see col. 3, line 12-col.4, line 3 and fig.1). Both Wajs and Frantz teach subscription radio broadcast technique, then, it would have been obvious to an ordinary skill in the art at the time of the invention to terminate service subscription of mobile digital radio, in Wajs system , as evidenced by Frantz, since digital radio is better improve quality and less noise as compared with AM and FM radio.

Wajs and Frantz do not teach interface consisting of display device and voice synthesier device. However, Linden, similar art of endeavor, satellite broadcast digital channel tuning device, teaches selecting programs using interface consisting of visual display and voice synthesizer (see paragraph 0082, lines 6-9 and paragraph 0085 and figure 7, in particular items #716 and 718).

One of ordinary skill in the art would be motivated to improve interfacing broadcast programs tuning device, which subscribes for program content, consisting of visual display and voice synthesizer .

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to alert a user of digital broadcast receiver that dipliting subscription fund, using visual display and voice synthesizer, as evidenced, by Linden , using simple and efficient means of notifying the user.

Claim 19, Wajs teaches activating the digital radio receiver responsive to receiving the expiration notice (see col. 2 line 53-col.3, lines 26).

Claim 20. Wajs teaches deactivating the digital radio receiver based on the expiration notice see col. 3,lines 10-21 col.4, lines 2-13).

Claim 21, Wajs teaches a computer readable medium having thereon computer-executable code for implementing a method for providing subscription expiration notification at a digital radio device (see abstract , column 2, paragraphs 0005-column 3, paragraph 0015 and fig.1) in which the entitlement management message (EMM) is subscription agreement with service provider ,comprising:

Wajs teaches receiving a radio subscription service expiration notice communicating the subscription service expiration notice to a radio receiver storing a received expiration notice at the radio receiver, (see col.3, line 4-57 and fig.1).

Wajs teaches providing the stored expiration notice to a user (see col. 3,lines 10-21 and col. 4, lines 14-32) in which if the specific entitlement is not received before the expiry date , the terminal equipment is disconnected.

Wajs does not expressly teach a mobile digital radio. However, Frantz teaches a mobile radio that shows automatic expiration of wireless communication service subscription (see col. 3, line 12-col.4, line 3 and fig.1). Both Wajs and Frantz teach subscription radio broadcast technique, then, it would have been obvious to an ordinary skill in the art at the time of the invention to terminate service subscription of mobile digital radio , in Wajs system , as evidenced by Frantz, since digital radio is better improve quality and less noise as compared with AM and FM radio.

Wajs teaches the above monitoring activities of entitlement management message (EMM) using program encoded in computer readable medium.

Wajs and Frantz do not teach interface consisting of display device and voice synthesier device. However, Linden, similar art of endeavor, satellite broadcast digital



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channel tuning device, teaches selecting programs using interface consisting of visual display and voice synthesizer (see paragraph 0082, lines 6-9 and paragraph 0085 and figure 7, in particular items #716 and 718).

One of ordinary skill in the art would be motivated to improve interfacing broadcast programs tuning device, which subscribes for program content, consisting of visual display and voice synthesizer .

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to alert a user of digital broadcast receiver that depleting subscription fund, using visual display and voice synthesizer, as evidenced, by Linden , using simple and efficient means of notifying the user.

Claims 22 and 28, Wajs teaches as disclosed in claim 21, activating the digital radio receiver responsive to receiving the expiration notice (see col. 2 line 53-col.3, lines 26). Wajs teaches the above monitoring activities of entitlement management message (EMM)using program encoded in computer readable medium.

Claim 23. Wajs teaches as disclosed in claim 21, deactivating the digital radio receiver based on the expiration notice see col. 3,lines 10-21 and col.4, lines 2-13). Wajs teaches the above monitoring activities of entitlement management message (EMM) using program encoded in computer readable medium.

Claim 24. Wajs teaches as disclosed in claim 21, determining a radio subscription notice comprises receiving subscription service enrollment data associating

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the enrollment data with a unique radio identification code (col.4, lines 14-33). Wajs teaches defining a radio subscription service expiration date based on the enrollment data and the unique radio identification code (see col.3, lines 4-56). Wajs teaches the above monitoring activities of entitlement management message (EMM) using program encoded in computer readable medium.

Claim 25. Wajs teaches as disclosed in claim 21, the enrollment data is selected from the group comprising of: customer billing data and subscription service data see col.3, lines 4-56). Wajs teaches the above monitoring activities of entitlement management message (EMM) using program encoded in computer readable medium.

Claim 26, Wajs teaches as disclosed in claim 21, providing the subscription notice to a satellite broadcasting system, transmitting the subscription notice to the radio receiver via the satellite broadcasting system, and receiving the subscription notice at the radio receiver (see col.2, lines 23-57 and fig.1). Wajs teaches the above monitoring activities of entitlement management message (EMM) using program encoded in computer readable medium.

Claim 27, Wajs teaches as disclosed in claim 26, the subscription notice is provided to the broadcast system responsive to a determination that a subscription service associated with a unique digital radio receiver has been renewed (see col. 1, lines 48-col.2, line 23).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ma et al (US 6,563,805) teaches digital radio prepaid music recording system, using smart card for tuning music from the broadcast station , based on sufficient fund in the account , if not the user request to insert smartcard with sufficient fund in order to tune to the digital radio broadcast or music (see figure 2 and it's disclosure).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

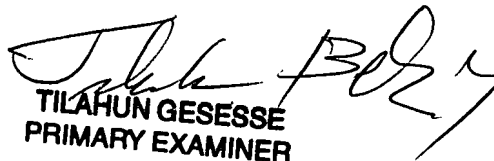
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number .

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

April 20,2007

  
TILAHUN GESESSE  
PRIMARY EXAMINER